

## Message Text

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ACTION DLOS-09

INFO OCT-01 EUR-12 EA-10 IO-13 ISO-00 ACDA-12 AGRE-00  
AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 COME-00  
DODE-00 DOTE-00 EB-08 EPA-01 SOE-02 DOE-15 FMC-01  
TRSE-00 H-01 INR-10 INT-05 JUSE-00 L-03 NSAE-00  
NSC-05 NSF-01 OES-07 OMB-01 PA-01 PM-05 SP-02  
SS-15 ICA-11 AF-10 ARA-10 NEA-10 /188 W  
-----087429 031948Z /53

P 031643Z APR 78  
FM USMISSION GENEVA  
TO SECSTATE WASHDC PRIORITY 7893  
INFO AMEMBASSY LONDON  
AMEMBASSY PARIS  
AMEMBASSY MOSCOW  
AMEMBASSY TOKYO

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E.O. 11652: N/A  
TAGS: PLOS, EMIN, EGEN  
SUBJECT: LOS: SEABED NEGOTIATION -- WEEK OF MARCH 28  
-31

1. SUMMARY: NO FORMAL NEGOTIATIONS ON SEABEDS TOOK PLACE UNDER UNCLOS AUSPICES THIS WEEK. THE BEGINNING OF FORMAL TALKS AWAITS RESOLUTION OF THE PRESIDENCY ISSUE. THE U.S. AND U.K. MET ON TRANSFER OF TECHNOLOGY (TOT) AND TWO MEETINGS OF THE G-5 EXPERTS TOOK UP TOT AND PARAGRAPH 1 OF ARTICLE 150. AMBASSADOR RICHARDSON'S 3/31 LUNCH WITH BEESLEY TO BE REPORTED SEPTEL. END SUMMARY.

2. IN A BILATERAL WITH THE UK ON 3/29 THE U.S. OPPOSED ANNEX II LANGUAGE PUT FORWARD LAST MONTH BY THE UK CALLING FOR ARBITRATION ON THE TERMS AND CONDITIONS OF TOT CONTRACTS. THE UK PRESENTED A REVISED PROPOSAL TO THE  
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G-5 EXPERTS ON 3/30. IT CALLS FOR CONCILIATION IN THE EVENT AGREEMENT ON TOT BETWEEN THE MINER AND THE ENTERPRISE CANNOT BE REACHED AND PROTECTS MINING RIGHTS REGARDLESS OF THE OUTCOME OF THE TOT NEGOTIATIONS. THIS PROPOSAL, WHEN FURTHER REFINED, WILL LIKELY BECOME THE G-5 OPENING POSITION.

3. THE G-5 ALSO DISCUSSED ARTICLE 275. ALL AGREED THIS ARTICLE SHOULD EITHER BE CHANGED SO THAT IT DOES NOT CONSTITUTE A SEPARATE GRANT OF POWER TO THE AUTHORITY WITH RESPECT TO TRANSFER OF MINING TECHNOLOGY OR BE MOVED TO PART XI VIA INCORPORATION INTO ARTICLE 144. A U.S. DRAFT TO THIS EFFECT WAS CIRCULATED. THE SOVIETS REBUFFED A THINLY-VEILED U.S. PROPOSAL THAT THEY PERSUADE COMMITTEE III CHAIRMAN YANKOV TO ALLOW ARTICLE 275 TO BE TAKEN UP AS PART OF A PACKAGE TOT NEGOTIATION. THE SOVIETS SAID THAT ARTICLE 275 COULD BE DEALT WITH EITHER BY CONFORMING IT OR DELETING IT ONLY AFTER THE REST OF THE TOT PACKAGE IS IN PLACE, AND THEN MOST LIKELY IN COMMITTEE III, NOT IN COMMITTEE I.

4. THE UK AND FRANCE ATTACKED THE DRAFT FIRST PARAGRAPH OF ARTICLE 150 THAT EMERGED FROM THE NJENGA GROUP AT THE NEW YORK INTERSESSIONAL. JAPAN SHARED SOME OF THEIR CONCERNS. THEY ARGUED THE DRAFT WOULD GIVE THE AUTHORITY A BASIS TO CLAIM POWERS WHICH IT OTHERWISE WOULD NOT HAVE TO CONTROL PRODUCTION AND TO ATTEMPT TO INFLUENCE COMMODITY MARKETS AND APPEARED OVERLY GENEROUS IN ITS ADJUSTMENT ASSISTANCE PROVISIONS. THE SOVIETS SAID THEY COULD ACCEPT THE TEXT. THE U.S. RECALLED THAT IT HAD INDICATED IN NEW YORK THAT THE NJENGA LANGUAGE WAS MINIMALLY ACCEPTABLE, AND POINTED OUT THAT THE SUBSEQUENT, DETAILED PROVISIONS ON PRODUCTION LIMITATION AND ADJUSTMENT ASSISTANCE WERE MORE LIMITED OFFICIAL USE

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IMPORTANT THAN THE STATEMENT OF GENERAL POLICIES IN THE FIRST PARAGRAPH OF ARTICLE 150. NEVERTHELESS, THE U.S. AGREED THAT THERE WERE SEVERAL WORDS AT LEAST THAT COULD USEFULLY BE CHANGED IN THIS TEXT AND SAID THAT IT WOULD TELL NJENGA THAT WE HAD IDENTIFIED ONE OR TWO PROBLEMS WHICH SHOULD BE CONSIDERED FURTHER AT A LATER DATE. IT WAS AGREED THAT WE SHOULD NOT REQUEST RECONSIDERATION OF THAT TEXT UNTIL MUCH OTHER SUBSTANTIVE WORK HAS BEEN FINISHED, INCLUDING PARTICULARLY THE REST OF ARTICLE 150. THE FRENCH, BRITISH AND JAPANESE WILL ALSO APPROACH NJENGA TO MAKE CLEAR THAT THE PROPOSED LANGUAGE NEEDS CHANGES AND MUST BE RECONSIDERED AT SOME APPROPRIATE POINT.

5. AMBASSADOR RICHARDSON LUNCHEDED WITH AMBASSADOR BEESLEY ON MARCH 31 TO DISCUSS PRODUCTION CONTROLS. THIS WILL BE REPORTED SEPTEL. RICHARDSON

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## Message Attributes

**Automatic Decaptioning:** X  
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**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** SEABED, REPORTS, NEGOTIATIONS  
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**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
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**Disposition Approved on Date:**  
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**TAGS:** PLOS, EMIN, EGEN  
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**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
US Department of State  
EO Systematic Review  
20 Mar 2014  
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